

Express Mail Label No.: Ek 7912203US  
Date of Deposit: May 1, 2001

Attorney Docket No. 15966-606 (Cura-106)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Richard Shimkets *et al.*  
SERIAL NUMBER: 09/715,417 EXAMINER: Not Yet Assigned  
FILING DATE: November 16, 2000 ART UNIT: Not Yet Assigned  
FOR: NOVEL POLYPEPTIDES AND NUCLEIC ACIDS ENCODING SAME

BOX IDS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

### INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

#### Other Prior Art-Non Patent Literature Documents:

Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
Blum, et al., 1999. Direct Submission. GenBank Accession Number: CAB61358
Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AF188634
Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AAF01457
Clemenza, et al., 1995. Direct Submission. GenBank Accession Number: Q29528
Crowl, et al., 1999. Direct Submission. GenBank Accession Number: AF157623
Jauniaux, et al., 1997 "Sequencing analysis of a 36.8 kb fragment of yeast chromosome XV reveals 26 open reading frames including SEC63, CDC31, SUG2, GCD1, RBL2, PNT, PAC1 and VPH1." <u>Yeast</u> 13: 483-487. GenBank Accession Number: Q08726
Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (KIAA0201-KIAA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <u>DNA Res.</u> 3 (5): 321-329. GenBank Accession Number: D87433
Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (KIAA0201-KIAA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <u>DNA Res.</u> 3 (5): 321-329. GenBank Accession Number: Q93072
Smalley, C., 1999. Direct Submission. GenBank Accession Number: CAB56566
Tsai, et al., 1999 "SMRTER, a drosophila nuclear receptor coregulator, reveals that EcR-mediated repression is critical for development." <u>Mol. Cell</u> 4 (2): 175-186. GenBank Accession Number: AAD52614
Wilson, et al., 1994 "2.2 Mb of contiguous nucleotide sequence form chromosome III of C. elegans." <u>Nature</u> . 368: 32-38. GenBank Accession Number: P90884

APPLICANTS: Richard Shi. èts *et al.*  
U.S.S.N.: 09/715,417

This Information Disclosure Statement is being filed before the mailing date of the first Office Action.

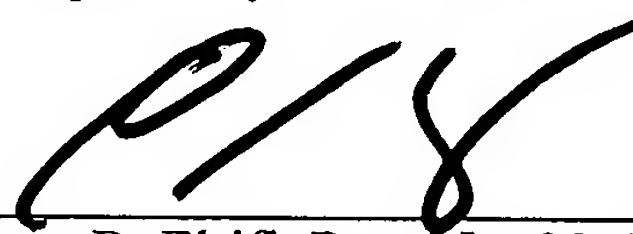
A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-606(Cura 106).

Respectfully submitted,

EK611912203US



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Cynthia A. Kozakiewicz, Reg. No. 42,764  
Attorneys for Applicants  
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Dated: May 1, 2001

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	09/715,417
	<b>Filing Date</b>	11/16/00
	<b>First Named Inventor</b>	Shimkets, et al.
	<b>Group Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	15966-606

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1						

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
	B1						

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Blum, et al., 1999. Direct Submission. GenBank Accession Number: CAB61358
	C2	Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AF188634
	C3	Chodagam, et al., 1999. Direct Submission. GenBank Accession Number: AAF01457
	C4	Clemenza, et al., 1995. Direct Submission. GenBank Accession Number: Q29528
	C5	Crowl, et al., 1999. Direct Submission. GenBank Accession Number: AF157623
	C6	Jauniaux, et al., 1997 "Sequencing analysis of a 36.8 kb fragment of yeast chromosome XV reveals 26 open reading frames including SEC63, CDC31, SUG2, GCD1, RBL2, PNT', PAC1 and VPH1." <u>Yeast</u> 13: 483-487. GenBank Accession Number: Q08726
	C7	Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (KIAA0201-KIAA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <u>DNA Res.</u> 3 (5): 321-329. GenBank Accession Number: D87433
	C8	Nagase, et al., 1996 "Prediction of the coding sequences of unidentified human genes. VI. The coding sequences of 80 new genes (KIAA0201-KIAA0280) deduced by analysis of cDNA clones from human cell line GK-1 and brain." <u>DNA Res.</u> 3 (5): 321-329. GenBank Accession Number: Q93072
	C9	Smalley, C., 1999. Direct Submission. GenBank Accession Number: CAB56566
	C10	Tsai, et al., 1999 "SMRTER, a drosophila nuclear receptor coregulator, reveals that EcR-mediated repression is critical for development." <u>Mol. Cell</u> 4 (2): 175-186. GenBank Accession Number: AAD52614
	C11	Wilson, et al., 1994 "2.2 Mb of contiguous nucleotide sequence form chromosome III of C. elegans." <u>Nature.</u> 368: 32-38. GenBank Accession Number: P90884

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Shimkets et al.		
SERIAL NUMBER:	09/715,417	EXAMINER:	Not Yet Assigned
FILING DATE:	November 16, 2000	ART UNIT:	1645
FOR:	Novel Polypeptides and Nucleic Acids Encoding Same		

Assistant Commissioner for Patents  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-identified case. Accordingly, no fee or certification is required. 37 C.F.R. §1.97. A copy of each of references is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Shimkets et al.  
U.S.S.N.: 09/715,417

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-606 (Cura-106).

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
Cynthia A. Kozakiewicz, Reg. No. 42,764  
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Dated: October 1, 2001

TRA 1571381v1

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PTO/SB (12-97)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	09/715,417
	<b>Filing Date</b>	11/16/00
	<b>First Named Inventor</b>	Shimkets
	<b>Group Art Unit</b>	1645
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	15966-606 (Cura-106)

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No		
	B1	WO 95/18823	Beth Israel Hospital	July 13, 1995			
	B2	WO 98/04688	Biopharm GMBH	February 5, 1998			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C12	Ikegawa, S. <i>et al.</i> (1996). <i>Genomics</i> 35: 590-592.
	C13	Strausberg, R. (1999). Database EMBL Entry/Acc. No. AI613267
	C14	International Search Report, issued August 20, 2001

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

<b>Examiner Signature</b>		<b>Date Considered</b>	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Shimkets et al.  
SERIAL NUMBER: 09/715,417  
FILING DATE: November 16, 2000  
FOR: Novel Polypeptides and Nucleic Acids Encoding Same  
EXAMINER: Not Yet Assigned  
ART UNIT: 1645

**BOX IDS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

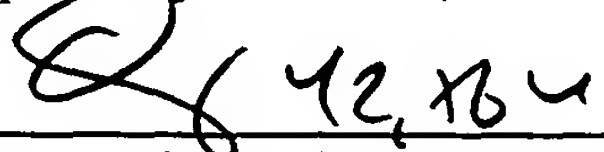
Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Supplemental Information Disclosure Statement is being filed within three months of the mailing date of the Written Opinion for PCT/US00/31543, which corresponds to the above-identified application. Accordingly, no fee or certification is believed due at this time.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed Form PTO-1449 to evidence that the cited information has been fully considered by the PATENT AND TRADEMARK OFFICE during the examination of this application.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 15966-606 (Cura-106)).

Respectfully submitted,

  
Ivor R. Elrifi Registration No. 39,529  
Attorney for the Applicant  
c/o MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
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Dated: February 22, 2002

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Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	09/715,417
	<b>Filing Date</b>	November 16, 2000
	<b>First Named Inventor</b>	Shimkets
	<b>Group Art Unit</b>	1645
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	15966-606 (Cura-106)

U.S. PATENT DOCUMENTS							
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FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C15	Fadden et al. (1998). <i>FEBS Letters</i> 435: 105-109.
	C16	Kasahara et al. (1999). <i>Molecular and Cellular Biol.</i> 19: 526-536.
	C17	Written Opinion for PCT/US00/31543 mailed January 31, 2002.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

<b>Examiner Signature</b>		<b>Date Considered</b>	
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Shimkets, et al.  
SERIAL NUMBER: 09/715,417 EXAMINER: Richard Hutson  
FILING DATE: November 16, 2000 ART UNIT: 1652  
FOR: Novel Polypeptides and Nucleic Acids Encoding Same

**BOX IDS**

Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

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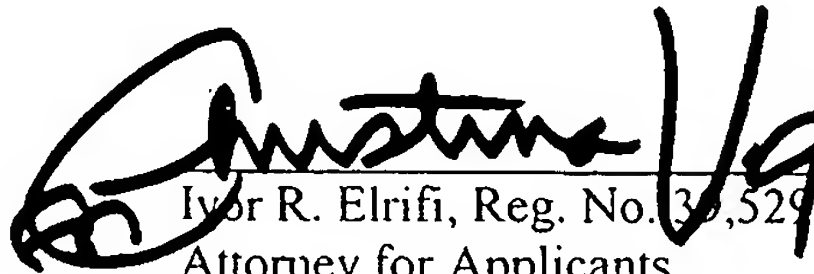
By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Shimkets, et al.  
U.S.S.N.: 09/715,417

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Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-606 (Cura-106).

Respectfully submitted,

  
Ivor R. Elrifi, Reg. No. 35,529  
Attorney for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
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Tel: (617) 542-6000  
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Reg No. 45,899

Dated: April 22, 2002

TRA 1658713v1

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Modified Form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	09/715,417
	<b>Filing Date</b>	11/16/2000
	<b>First Named Inventor</b>	Shimkets
	<b>Group Art Unit</b>	1652
	<b>Examiner Name</b>	R. Hutson
	<b>Attorney Docket Number</b>	15966-606 (Cura 106)

U.S. PATENT DOCUMENTS							
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FOREIGN PATENT DOCUMENTS						
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C18	Nagase, et al. (2000). "Prediction of the Coding Sequences of Unidentified Human Genes. XVII. The Complete Sequences of 100 New cDNA Clones from Brain Which Code for Large Proteins <i>in vitro</i> ." <i>DNA Research</i> 7: 143-150.
	C19	International Preliminary Examination Report for PCT/US00/31543. Mailed on March 27, 2002.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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	<b>Group Art Unit</b>	1645
	<b>Examiner Name</b>	R. Hutson
	<b>Attorney Docket Number</b>	15966-606 (Cura-106)

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C14	International Search Report for PCT/US00/31543, issued August 20, 2001

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

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